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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,872	08/28/2003	Seiji Takahashi	01272.020625.	6360

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

GARCIA JR, RENE

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 05/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

8m

Office Action Summary	Application No. 10/649,872	Applicant(s) TAKAHASHI ET AL.	
	Examiner Rene Garcia, Jr.	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>26 January 2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Page 14 Reference 213, Page 16 Reference 201, Page 17 References 38 and 381, Page 26 References 63 and 68, Page 27 References 63 and 64, Page 41 Reference 812, Page 45 Reference 607 (perhaps mean Reference 605), and Page 54 Reference “300” (perhaps mean Reference “S300”). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 2 Reference 96, Figure 3 References 11a and 11b, Figure 4 References 362, 11a and 11b, Figure 21b References S106 and S107, Figure 22b References S106, S107, S110 and S109a, Figure 23a Reference S700 and Figure 23b References S401, S402, S403, S405 and S406. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add

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the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37 CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Specification

4. The disclosure is objected to because of the following informalities: Spelling error (Paragraph 0007, Line 11), "he" was used were "the" should be.

Appropriate correction is required.

5. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Ink Jet Printing Apparatus With Removably Mounted Print Medium Tray And Ink Jet Printing Method

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 and 5 are rejected under 35 U.S.C. 102(e) as being unpatentable by Drynkin et al. (US 6,580,444).

Drynkin et al disclose a printing apparatus and method for printing (Figure 1, Reference 10) a print medium 20 (Column 5, Lines 14-15) with a print head (Figure 5, Reference 200), comprising: a tray (Figure 1, Reference 22) on which to put the print medium 20; a tray guide 86 and 88 (“guide shafts”; Column 6, Lines 18-20) removably mounted to the printing apparatus 10 to support the tray 22 so that it can be fed (Column 6, Lines 24-25); detecting means for detecting whether or not the tray guide 86 and 88 is mounted to the printing apparatus 10 (photo sensor; Column 7, Lines 2-6); and control means for controlling the printing apparatus (Column 5, Lines 12-14); wherein the control means changes its control on the printing apparatus 10 according to a result of the detection by the detecting means (Column 8, Lines 66-67 and Column 9, Line 1). The basic program instructions in the controller are capable of using the result of the detection means and controlling the print apparatus.

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8. Claims 1, 2, 4 and 5 are rejected under 35 U.S.C. 102(e) as being unpatentable by Sasai et al. (US PUB 2002/0067940).

With respect to claims 1 and 5 Sasai et al disclose a printing apparatus 150 and method (Paragraph 0258) for printing a print medium 2 (Paragraph 0239) with a print head 162 (Paragraph 0258), comprising: a tray 101 on which to put the print medium 2 (Paragraph 0267); a tray guide 112 (Paragraph 0270) removably mounted to the printing apparatus 150 to support the tray 101 so that it can be fed (Paragraph 0267, Lines 2-4); detecting means (Paragraph 0269, Lines 4-6) for detecting whether or not the tray guide 112 is mounted to the printing apparatus 150; and control means (Paragraph 0311, Line 3) for controlling the printing apparatus 150; wherein the control means changes its control on the printing apparatus according to a result of the detection by the detecting means (Paragraph 0137).

With respect to claim 2 Sasai et al further disclose a carriage 161 (Paragraph 0258) for carrying and moving the print head 162 (Paragraph 0258, Lines 4-6); wherein the control means controls a position of the carriage 161 according to the result of the detection by the detecting means (Paragraphs 0246 and 0258). The tray is not detected by the detection means and will not perform the printing task; if the printing task is not performed the carriage will not move in the main scanning direction.

With respect to claim 4 Sasai et al further disclose a transport roller 154 (Paragraph 0267) to transport the tray 101; wherein the control unit controls a driving of the transport roller 154 according to the result of the detection by the detecting means (Paragraphs 0246 and 0267). The tray is not detected by the detection means and will not perform the printing task; if the printing task is not performed the print apparatus will not drive the transport roller.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasai et al (US PUB 2002/0067940) in view of Myung (US 6,317,145).

Sasai et al disclose the following: wherein the print head 162 (Paragraph 0258) is removably mounted on the carriage 161 (Paragraph 0258, Line 4-6); and wherein, when the detecting means detects that the tray guide 112 is mounted to the print apparatus 150.

Sasai et al does not disclose control means prohibits the carriage 161 from moving to a replacement position where the print head 162 can be mounted to or dismounted from the carriage 161.

Myung teaches the following:

The control means prohibits the carriage 11 (Column 3, Line 13) from moving to a replacement position where the print head 12 (Column 3, Line 13) can be mounted to or dismounted from the carriage (to determine whether a print medium is present in a printing area of said cartridge (print head) and moving the carriage depending on the result) (Claim 1; Column 4, Line 64-67 and Column 5, Lines 1-6).

It would have been obvious at the time the invention was made to a person of ordinary skill in the art to utilize a detection means to determine if a print medium (tray that holds the

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print medium) was in the carriage path and controlling the carriage with respect to the results of the detection means, as taught by Myung into Sasai et al for the purpose of not contaminating the medium in the carriage path due to ink leakage (Column 1, Lines 41-46).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 7:00AM - 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rene Garcia Jr.
11 May 2005




K. FIGGINS
PRIMARY EXAMINER 5/05